

APPROVED

TOWN OF WESTFORD

BOARD OF SELECTMEN

MINUTES

DATE: April 13, 2004

TIME: 7:06 P.M.

PLACE: J.V. Fletcher Library

PRESENT: Christopher Romeo, Robert Jefferies, Dini Healy-Coffin,
Allan Loiselle, James Silva

OTHERS

PRESENT: Steve Ledoux-Town Manager, Norman Khumalo-Assistant
Town Manager, Audience Members

Executive Session with Board of Selectmen, Communications Advisory Committee (CAC) and Attorney Peter Epstein

The Board voted at 7:06 p.m. to go into Executive Session with members of the Communications Advisory Committee (CAC) and Attorney Peter Epstein for the purpose of discussing the license renewal for Comcast. A polling of the Board: Romeo-yes; Jefferies-yes; Healy-Coffin-yes; Loiselle-yes; Silva-yes. Mark Davidson, member of the CAC and Attorney Peter Epstein, counsel for the CAC, were in attendance. The Board to reconvene to regular session at the end of the Executive Session to complete the agenda items.

Reconvene to Regular Session

The Board reconvened to regular session at 7:35 p.m. Silva joined the meeting at 8:40 p.m.

Open Forum

Kathy Cooper, 23 Morrison Lane, referenced her letter dated April 13, 2004 regarding her plans to seek a Special Permit from the Zoning Board of Appeals on April 21, 2004 to run an artist studio from a room over her garage. Romeo noted that Cooper was scheduled for the Zoning Board of Appeals meeting next week and that it was premature for the Selectmen to make a comment at this time.

Public Hearing – Petition from Mass Electric to Run and Maintain Conduit on Main Street

Romeo opened the public hearing. There was no one present from Mass Electric. Richard Barrett, Highway Superintendent, stated that he reviewed the petition and recommended approval with the condition that Mass Electric review the approved plans. Barrett stated that the plan runs through the drainage and asked that Mass Electric and the Town Engineer meet to determine that there are no issues with the drainage. Ledoux recommended that the Board continue the public hearing to April 27, 2004. **It was moved by Healy-Coffin, seconded by Loiselle, and VOTED 4 IN FAVOR WITH 1 ABSENT (Silva), to continue the public hearing to April 27, 2004 at 7:35 p.m. and that Mass Electric meet with the Highway Superintendent and the Town Engineer.** Romeo asked Ledoux to be sure that a representative from Mass Electric attends the April 27th meeting.

Discussion with Comcast Regional Vice President Steve Hackley

Steve Hackley, Regional Vice President of Comcast, Rob Travers, Manager of Government and Community Relations and Liz Graham, Community Relations, were present to report to the Board on how Comcast is doing in Westford. Graham submitted a report to the Board. Hackley reported that the upgrade was completed ahead of schedule and that Comcast is bringing products and services to Westford to meet the needs of the customers. Hackley stated that Comcast has been funding and participating in community events. Romeo thanked Comcast for the generosity shown to the community and for the upgrades. Romeo pointed out that the Board is currently in negotiations with Comcast regarding the license renewal. Hackley stated that they are trying to get the license renewal process back on track. Hackley stated that Comcast has put a good faith proposal on the table to the Communications Advisory Committee (CAC) and that they are trying to move to a conclusion. Graham stated that the cable renewal is based on community needs and that some of the items under negotiation are public access, studio location, and funding for equipment. Graham stated that Comcast has tried to address the needs articulated by the community. Jefferies asked Graham to provide a comparison of how this proposal differs from other communities. Graham indicated that she would provide the information to the CAC.

Board to Review Westford Affordable Housing Action Plan

Elaine Nickerson, Vice Chairman of the Affordable Housing Committee (AHC), Andrea Peraner-Sweet and Norman Khumalo, members of the AHC, made a presentation of the Westford Affordable Housing Action Plan. Nickerson introduced John Ryan, Housing

Consultant, and other members of the Committee. Nickerson made a presentation of the Executive Summary; Housing Needs; Ownership Housing; Rental Housing; Reaching the 10 Percent Affordable Housing Goal; Infrastructure and Development Constraints; Housing Goals; Principles for Action; Affordable Housing Action Strategies, Working with Existing Buildings, Utilizing Town-owned Land and Buildings, New Development Strategies, Zoning Strategies, and Other Actions to Fund and Support Affordable Housing Production.

Peraner-Sweet stated that the goal of the Affordable Housing Action Plan is to tell the State that Westford is committed to meeting the 10% affordable housing stock. Peraner-Sweet outlined the housing, population and demographic changes in Westford from 1980 to present. Peraner-Sweet urged the Board to support the plan and recommend the plan to the State.

Healy-Coffin stated that she was committed to affordable housing and pointed out that the public needs to be educated about affordable housing. Loiselle stated that Westford needs to consider the cost of implementing this plan particularly the impacts on schools, highway, infrastructure and the loss of open space. Jefferies was concerned with the cost to implement the plan. Jefferies also recommended more focus on buildings that are in keeping with the character of Westford.

Craig Grimm, 98 Nutting Road, was concerned that the Town will need more schools and that there is already too much traffic. Grimm felt that it was impossible to meet the 10% housing stock. Grimm spoke in opposition to the Keyes Corner Condominium 40B project currently under review noting that the buildings were too high and that there was too much traffic.

Bob Shaffer, Community Preservation Committee, reported that the CPC will be holding a public hearing on May 18, 2004. Shaffer stated that it costs money to do the plan but the Town cannot afford to not do the plan or Westford will be overrun with Chapter 40B projects. Shaffer stated that the Town needs to get state and federal funds.

It was moved by Silva, seconded by Healy-Coffin, and VOTED UNANIMOUSLY, to adopt the Westford Affordable Housing Plan.

Romeo thanked the Committee and John Ryan for their hard work.

Annual Town Meeting Update

Ledoux stated that the Board needed to sign the warrant so that it could be posted. Ledoux stated that the Board will review the motions on April 27th and then begin taking positions on the articles. Romeo asked Khumalo to provide a map relative to the Abbott Mill easements. **It was moved by Healy-Coffin, seconded by Loiselle, and VOTED UNANIMOUSLY, to sign the warrant.**

Report on Pay Classification and Plan Changes

Ledoux outlined the 12 criteria suggested by the Personnel Advisory Committee for classification for internal banding of positions. Ledoux also outlined the Compensation Plan Amendment (Article 3). The Board to take a position on April 27th.

Budget Update

Ledoux reported that a compromise budget was arrived at with the Selectmen, School Committee and Finance Committee on April 5, 2004. Ledoux updated the Board on a meeting with Department Heads to come up with ideas regarding cuts and to discuss capital projects. Ledoux outlined the spreadsheet of the Capital Plan Reductions to Allow for Funding of Alternative Proposals:

TOWN HALL	\$ 50,000	(50,000)	-	Study for Town Center Bldg Connection
TECHNOLOGY	200,000	(30,000)	170,000	Less work station, phones
HIGHWAY	250,000	(100,000)	150,000	Less dump truck
POLICE	151,000	(43,500)	107,500	Less 1 add'l cruiser (2 vs. 4), radios
FIRE	55,000	-	55,000	Fully funded for Jaws of Life
RECREATION	30,000	(2,755)	27,245	Less small stand alone play structure
SENIOR CENTER	60,000	(50,000)	10,000	Engineering Plans
SCHOOLS	219,200	(129,000)	90,200	
TOWN CLERK	4,180	-	4,180	Fully funded
GIS	4,000	-	4,000	Fully funded
LIBRARY	19,245	(19,245)	-	Stack lighting withdrawn by Lib Director
ZBA	4,000	(4,000)	-	Cell Tower Study
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	\$996,625	\$(378,500)	\$618,125	

Agreement on Minot's Corner

Norman Khumalo, Assistant Town Manager, provided the Board with a standard three party agreement relative to the intersection improvements at Minot's Corner in conjunction with Ryan Development and the Primrose Development on Littleton Road. Richard Barrett, Highway Superintendent, indicated that the agreement was the standard form with Mass Highway language. **It was moved by Loiselle, seconded by Jefferies, and VOTED UNANIMOUSLY, to sign the three party agreement.**

Request for Waivers from Hiring Freeze

Highway Department – Heavy Equipment Operator (2 Positions)

Highway Department - Seasonal Laborers (2 Positions)

Parks & Recreation – Seasonal Laborers (4 Positions)

Richard Barrett, Highway Superintendent and Pat Savage, Parks & Recreation Director, were present seeking waivers from the hiring freeze for the above positions. **It was moved by Healy-Coffin, seconded by Loiselle, and VOTED UNANIMOUSLY, to replace the two positions for heavy equipment operator.**

It was moved by Healy-Coffin, seconded by Loiselle, and VOTED UNANIMOUSLY, to approve the two positions for seasonal laborers for the Highway Department and four positions for seasonal laborers for the Park & Recreation Department.

Park & Recreation – Park & Ground Crew Leader (1 Position) – Savage stated that this position is fully funded and is a promotion within the department. The Board felt that this was under the purview of Savage and that there was no action needed from the Board.

Savage announced that a presentation regarding artificial turf will be made to the Parks and Recreation Department on Wednesday, April 28, 2004 at 7:30 p.m.

Library – Administrative Secretary

Ellen Rainville, Library Director, asked for a waiver from the hiring freeze to hire a secretary to fill in for the Administrative Secretary who is taking family leave. This position is funded within the Library budget. **It was moved by Healy-Coffin, seconded by Loiselle, and VOTED UNANIMOUSLY, to approve the temporary Administrative Secretary position being filled for maternity leave.**

Update on Pleasant Street Bridge

Richard Barrett, Highway Superintendent, reported that there has been a great deal of deterioration of the Pleasant Street bridge over the winter months. Mass Highway wants to close the bridge immediately. Mass Highway will be holding a 25% design public hearing on Thursday, April 15, 2004 at 7:00 p.m., at Westford Academy. Barrett hoped to get to work on the bridge in the late summer/early fall with the bridge closed for approximately one year. Barrett outlined the proposed town detours. Barrett stated that he is working with surrounding communities for secondary detours. The Highway Department is working on detour signs. Ledoux urged Barrett to get out a press release as soon as possible. Barrett announced that public hearings will be held on Tuesday, April 20, 2004 at the Millennium School to address the proposed one-way on Story Street and the proposed traffic island at Route 40/Nutting Road.

Licenses and Permits

One Day License Request – Charity Concert, Knights of Columbus, Wine & Malt License, April 30, 2004. **It was moved by Healy-Coffin, seconded by Jefferies, and VOTED UNANIMOUSLY, to approve.**

All Alcohol License – Outlook Restaurant, Family BBQ, April 25, 2004, 12-4PM, and September 4, 2004, 1-6PM. **It was moved by Healy-Coffin, seconded by Jefferies, and VOTED UNANIMOUSLY, to approve.**

One Day Beer & Wine License – League of Women Voters, Annual Dinner Meeting, June 8, 2004 – Cameron Senior Center. **It was moved by Healy-Coffin, seconded by Silva, and VOTED UNANIMOUSLY, to approve.**

License for Public Entertainment on Sunday – Wolfsong Therapeutic Massage for Canine Massage Demonstration, 4-H Fairgrounds, May 29 and May 30, 2004. **It was moved by Loiselle, seconded by Healy-Coffin, and VOTED UNANIMOUSLY, to approve.**

Banner Request – Westford Kiwanis, Apple Blossom Festival, week of May 10th. **It was moved by Healy-Coffin, seconded by Jefferies, and VOTED UNANIMOUSLY, to approve the banner for the week of May 10th.** Healy-Coffin reported that she received a telephone call regarding confusion with banner placement for Westford Academy's production of "Les Miserable" and the Westford Road Race. The Board confirmed that the "Les Miserable" banner would be placed in front of the Abbot School and the Westford Road Race banner would be placed in front of the Roudenbush Community Center.

Election Officer Appointment – Request from Town Clerk to appoint Elaine V. McKenna of 58 Newport Road as election officer. **It was moved by Jefferies, seconded by Loiselle, and VOTED UNANIMOUSLY, to appoint Elaine V. McKenna as election officer.**

Brookside Mill

No report at this time.

Franklin Property

No report at this time.

Board Reports/Updates

Communications Advisory Committee – Silva reported that when Comcast took over the AT&T Broadband license, AT&T was in breach of the license. Comcast cleared up those breaches. Silva stated that the Board needed to officially clear Comcast of the breaches. Romeo recommended that the Board review the breach letters and take action on April 27th.

Stepinski Land Acquisition – Healy-Coffin reported that she and Silva met in Executive Session with the Stepinski Land Acquisition Committee. Healy-Coffin stated that negotiations are ongoing.

Old Business/New Business

East Boston Camps – Ledoux requested a brief Executive Session at the end of the meeting to discuss real estate negotiations with the Heinz Foundation.

Presentation to Ron Zimmerman – The Board made a presentation to Ron Zimmerman, Community Television Director, on his upcoming wedding scheduled for April 24th.

Correspondence

Romeo read the list of correspondence.

4.3 Westford Fire Department – Status of Town Recycling Contract with Laughton's. Romeo asked Ledoux to invite the Recycling Committee to the April 27th meeting for a discussion regarding Laughton's.

4.7 Diane Weir, 122 Lowell Road, request to establish Railroad Quiet Zone. Romeo asked Ledoux for a memo regarding Railroad Quiet Zones.

Vote to Go Into Executive Session

The Board voted at 10:00 p.m. to go into Executive Session for the purpose of discussing real estate negotiations with the Heinz Foundation regarding the East Boston Camps. A polling of the Board: Romeo-yes; Jefferies-yes; Healy-Coffin-yes; Loiselle-yes; Silva-yes. The Board to reconvene for adjournment.

Open Items

4/13-1 Public hearing for Mass Electric petition continued to April 27th. Ledoux to make sure a representative from Mass Electric attends the meeting.

4/13-2 Board to take action on breach letters re: Comcast on April 27th.

4/13-3 Ledoux to invite Recycling Committee to April 27th meeting to discuss Laughton's.

4/13-4 Ledoux to provide memo re: Railroad Quiet Zones.

Reconvene and Adjournment

The Board reconvened to regular session at 10:12 p.m. It was moved by Healy-Coffin, seconded by Silva, and VOTED UNANIMOUSLY, to adjourn the meeting.

Steve Ledoux, Town Manager

Christopher Romeo, Chairman

Submitted by Beth Kinney, Recording Secretary